

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MICHAEL DEVIN FLOYD,

Plaintiff,

v.

SABER FITNESS HEGENBERGER, LLC,

Defendant.

Case No. [24-cv-01278-TSH](#)

PRETRIAL ORDER

On November 13, 2025, the Court held a pretrial conference in this matter. This Order summarizes the Court's rulings and information about how the trial will be conducted.

1. The parties shall deliver to the Clerk's Office by November 20, 2025, four hard copies and one electronic copy of their exhibits, deposition designations, and written discovery designations. The hard copies shall be single-sided and in tabbed binders that are no wider than three inches. These copies of the exhibits are for the Court and the witnesses.
2. The parties shall bring their own set of exhibits to trial for counsel to use.
3. The Court shall conduct a final pretrial conference on December 4, 2025, at 2:00 p.m. in Courtroom E, 15th Floor. Following that hearing, the parties shall do a tech check on any equipment they plan to use at trial. The parties should bring any such equipment with them. For any equipment other than a laptop computer, the parties will need a court order authorizing them to bring it into the building. Accordingly, the parties shall file proposed orders authorizing them to bring their trial technology equipment into the building, specifically listing each item they wish to bring.
4. The trial will proceed in Courtroom E as follows: The parties will appear at 9:00 a.m. on Monday, January 12, 2026. Each day the trial will start at 9:00 a.m. and will conclude at

3:30 p.m. There will be a 15-minute break at 11:00 a.m., a 45-minute lunch at 12:30 p.m., and a 15-minute afternoon break at 2:30 p.m.

5. Each side has 14 total hours to present their case in chief.¹ The 14 hours include opening and closing statements, as well as any rebuttal. Opening statements must be limited to 30 minutes per side and closing statements must be limited to one hour per side, including rebuttal.
6. The parties must rise when making an objection.
7. The parties must seek leave to approach witnesses.
8. At the close of each trial day, counsel must disclose to the opposing party the witnesses to be called the following two days and the exhibit numbers of the documents that counsel plans to use on direct (other than for impeachment). Within 24 hours of such disclosure, counsel shall exchange exhibit numbers to be used in cross of the witnesses (other than for impeachment). Parties will not be allowed to call witnesses or use documents other than those that have been previously disclosed in the pretrial conference statement and in the daily witness lists.
9. The parties are reminded to comply with Civil Local Rule 5-1(g) regarding the electronic filing of exhibits within ten days of a trial verdict.

IT IS SO ORDERED.

Dated: November 13, 2025


THOMAS S. HIXSON
United States Magistrate Judge

¹ This order assumes a bench trial. If it will be a jury trial, the Court will discuss any adjustments that need to be made, including to the number of hours per side.